B1 (Official Form 1)(1/08)									
United States Bankruptcy Court Northern District of Ohio							Voluntary	Petition	
Name of Debtor (if individual, enter Last, First, Middle): Fay, Douglas P.				Name	of Joint De	ebtor (Spouse) (Last, First	, Middle):	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):						used by the J maiden, and		in the last 8 years):	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-1765				IN Last fo	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)				
Street Address of Debtor (No. and Street, Cit 825 N. Kemp Elida, OH	y, and State)	:	ZIP Code		Address of	Joint Debtor	(No. and Str	reet, City, and State):	ZIP Code
County of Residence or of the Principal Place	e of Business		45807	Count	y of Reside	ence or of the	Principal Pla	ace of Business:	
Mailing Address of Debtor (if different from Location of Principal Assets of Business Deb		ss): [280 Baty	ZIP Code		g Address	of Joint Debt	or (if differe	nt from street address):	ZIP Code
(if different from street address above):	Li	ima, OH	45807						
Type of Debtor (Form of Organization) (Check one box) Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. □ Corporation (includes LLC and LLP) □ Partnership □ Other (If debtor is not one of the above entities, check this box and state type of entity below.) Tax-Exempt Entity (Check box, if applicable) □ Debtor is a tax-exempt organization and tax-exempt organiza			e) anization d States	defined "incurr	the I er 7 er 9 er 11 er 12	Petition is Fi	busine	ecognition eding ecognition	
Filing Fee (Check one box) Full Filing Fee attached Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. Statistical/Administrative Information Debtor estimates that funds will be available for distribution to unsecured credito there will be no funds available for distribution to unsecured creditors.				Check	Debtor is if: Debtor's a to insiders all applica A plan is Acceptanc classes of	a small busin not a small busin aggregate non s or affiliates) ble boxes: being filed with the plan	usiness debto acontingent li are less than ith this petition were solici accordance v	s defined in 11 U.S.C. § or as defined in 11 U.S. iquidated debts (exclud a \$2,190,000.	C. § 101(51D). ing debts owed e or more o).
Estimated Number of Creditors	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated Assets	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion			
Estimated Liabilities	\$1,000,001 to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1 billion	More than \$1 billion			

B1 (Official Form 1)(1/08) Page 2 Name of Debtor(s): Voluntary Petition Fay, Douglas P. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Case Number: Location Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Judge: Relationship: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). X /s/ Steven L. Diller ☐ Exhibit A is attached and made a part of this petition. February 16, 2010 Signature of Attorney for Debtor(s) (Date) Steven L. Diller 0023320 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and П Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08) Page 3

Voluntary Petition

(This page must be completed and filed in every case)

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

\chi /s/ Douglas P. Fay

Signature of Debtor Douglas P. Fay

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

February 16, 2010

Date

Signature of Attorney*

X /s/ Steven L. Diller

Signature of Attorney for Debtor(s)

Steven L. Diller 0023320

Printed Name of Attorney for Debtor(s)

Diller & Rice, LLC

Firm Name

124 East Main Street

Address

Email: dillerlaw@roadrunner.com

419-238-5025 Fax: 419-238-4705

Telephone Number

February 16, 2010

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

Fay, Douglas P.

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

X

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

United States Bankruptcy Court Northern District of Ohio

In re	Douglas P. Fay		Case No.	
		Debtor(s)	Chapter	11

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicab	le
statement.] [Must be accompanied by a motion for determination by the court.]	

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☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

□ Active military duty in a military combat zone.

□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/ Douglas P. Fay

Douglas P. Fay

Date: February 16, 2010

United States Bankruptcy Court Northern District of Ohio

In re	Douglas P. Fay		Case No.	
		Debtor(s)	Chapter	11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Better Business Bureau 219 N. Mcdonel St. Lima, OH 45801	Better Business Bureau 219 N. Mcdonel St. Lima, OH 45801	Services performed on behalf of Douglas P. Fay Construction	Unliquidated Disputed	15,250.00
Capital One PO Box 30278 Salt Lake City, UT 84130	Capital One PO Box 30278 Salt Lake City, UT 84130	credit card for personal purchases	Unliquidated	200.00
Cory, Meredith, Witter, Anderson & Smith 101 North Elizabeth St. Lima, OH 45801	Cory, Meredith, Witter, Anderson & Smith 101 North Elizabeth St. Lima, OH 45801	attorney fees for Douglas P. Fay Construction	Unliquidated Disputed	1,710.00
Menke Bros. Construction Co. PO Box 158 Fort Jennings, OH 45844	Menke Bros. Construction Co. PO Box 158 Fort Jennings, OH 45844	materials and improvements furnished in 2009, Carol and Ray Kenney; John and Patricia Clark, Mechanics Lien filed by Clarks	Unliquidated Disputed	23,862.00
Rent All Mart Inc. 3610 Elida Rd. Lima, OH 45807	Rent All Mart Inc. 3610 Elida Rd. Lima, OH 45807	rental of equipment	Unliquidated Disputed	373.09
Rindler Truss Ltd c/o Ron Rindler 24 Dull Rd. Saint Henry, OH 45883	Rindler Truss Ltd c/o Ron Rindler 24 Dull Rd. Saint Henry, OH 45883	purchase of trusses	Unliquidated Disputed	1,983.38
Sheffield Metals International 5467 Everygreen Parkway Sheffield Lake, OH 44054	Sheffield Metals International 5467 Everygreen Parkway Sheffield Lake, OH 44054	materials used for business for Douglas P. Fay Construction	Unliquidated Disputed	421.00
Sidney Electric 840 S. Vandemark Rd. Sidney, OH 45365	Sidney Electric 840 S. Vandemark Rd. Sidney, OH 45365	services used for Douglas P. Fay Inc.	Unliquidated Disputed	282.47

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B4 (O	fficial	Form	4) (12	/07) -	Cont
In re	ם ב	ouals	s P.	Fav	

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Stacey D. Fay 2960 Koop Rd. Lima, OH 45807	Stacey D. Fay 2960 Koop Rd. Lima, OH 45807	child support domestic support order	Unliquidated Disputed	20,000.00
Swaine & Harris, P.A. 425 South Commerce Ave. Sebring, FL 33870	Swaine & Harris, P.A. 425 South Commerce Ave. Sebring, FL 33870	Construction Lien for Douglas P. Fay Construction	Unliquidated Disputed	418.17
The Mortgage Banc Corp 1395 E Dublin Grandville Suite 301 Columbus, OH 43229	The Mortgage Banc Corp 1395 E Dublin Grandville Suite 301 Columbus, OH 43229	2280 Baty Rd., Lima, Ohio; PT NW 1/4; JD 2009 1562	Unliquidated	156,902.26 (277,700.00 secured) (250,446.07 senior lien)
Thomas Wehri 17748 Cty Rd. 15 Continental, OH 45831	Thomas Wehri 17748 Cty Rd. 15 Continental, OH 45831	Loan to DPF Leasing to purchase residence on 825 Kemp Rd.	Disputed	70,000.00
Waste Management of Ohio PO Box 9001054 Louisville, KY 40290	Waste Management of Ohio PO Box 9001054 Louisville, KY 40290	removal of debris for Douglas P. Fay Construction	Unliquidated Disputed	480.41

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B4 (Offi	cial Form 4)	(12/07) -	Cont
In re	Douglas	P. Fav	

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, **Douglas P. Fay**, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date	February 16, 2010	Signature	/s/ Douglas P. Fay
			Douglas P. Fay
			Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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Better Business Bureau 219 N. Mcdonel St. Lima, OH 45801

Capital One PO Box 30278 Salt Lake City, UT 84130

Chase Home Finance LLC 800 East State Highway 121 Bypass Lewisville, TX 75067

Cory, Meredith, Witter, Anderson & Smith
101 North Elizabeth St.
Lima, OH 45801

David Delong 201 N. Main Lima, OH 45801

Douglas Fay Construction, Inc. 2280 Baty Rd. Lima, OH 45807

Douglas Fay Construction, Inc. 2280 Baty Rd. Lima, OH 45807

DPF Leasing, Inc. 825 N. Kemp Rd. Lima, OH 45807

DPF Leasing, LLC 825 N. Kemp Rd. Lima, OH 45807

Edward B. Pedlow 204 North Main Street, Suite 302 Lima, OH 45801

Internal Revenue Service PO Box 21126 Philadelphia, PA 19114 Jim Link Treasurer PO Box 1243 Lima, OH 45802

Mattew Klein 220 West Sandusky St. PO box 479 Findlay, OH 45840

Menke Bros. Construction Co. PO Box 158 Fort Jennings, OH 45844

Office of the US Attorney Four Seagate, Third Floor Toledo, OH 43604

Ohio Department of Job and Family Services Bureau of Employment Service 30 East Broad St., 32nd Floor OH

Ohio Dept. Job & Family Services c/o Attorney General Attn: Bk Staff 150 E. Gay St. 21st Floor Columbus, OH 43215

Rent All Mart Inc. 3610 Elida Rd. Lima, OH 45807

Rindler Truss Ltd c/o Ron Rindler 24 Dull Rd. Saint Henry, OH 45883

Robert K. Leonard Law 119 N. West St. Suite 101 Lima, OH 45801

Sheffield Metals International 5467 Everygreen Parkway Sheffield Lake, OH 44054

Sidney Electric 840 S. Vandemark Rd. Sidney, OH 45365

Stacey D. Fay 2960 Koop Rd. Lima, OH 45807

Stacey D. Fay 2960 Koop Rd. Lima, OH 45807

Swaine & Harris, P.A. 425 South Commerce Ave. Sebring, FL 33870

The Citizens National Bank of Bluffton 102 S. Main St, PO Box 88 Bluffton, OH 45817

The Mortgage Banc Corp 1395 E Dublin Grandville Suite 301 Columbus, OH 43229

Thomas Wehri 17748 Cty Rd. 15 Continental, OH 45831

Waste Management of Ohio PO Box 9001054 Louisville, KY 40290